REMARKS:

In the outstanding Office Action, claims 1-15 were rejected. Claims 1 and 12 have been amended for clarification. Claim 15 has been cancelled without prejudice, and new claim 16 has been added. Thus, claims 1-14 and 16 are pending and under consideration. No new matter has been added. The rejections are traversed below.

REJECTION UNDER 35 U.S.C. § 102 (b):

Claims 1, 2, 5-8, and 10-12 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,870,716 (Sugiyama).

Sugiyama calculates a previous purchase date and a number of times of purchase in the past for each of the items that have been purchased up to a present time (see, col. 6, lines 22-32). Then, when a consumer inputs the next shopping day and the next-of-next shopping day using a keyboard (see, col. 7, lines 4-16), Sugiyama compares the next shopping dates entered by the customer with a sum of the previous purchase date and the purchase interval (see, FIG. 9 and corresponding text) and notifies the customer (see, Abstract). That is, Sugiyama requires that the customer input subsequent shopping days.

In contrast, the present invention provides a customer with an estimate of a next purchase date for items based on the customer's transaction information so that, for example, the customer does not forget to purchase the products.

As recited in independent claims 1, 7 and 12, the present invention includes "estimating next purchase date of an item class from a purchase frequency of the item calculated from the purchase record" and "notifying the customer of the estimated next purchase date". This enables the present invention to automatically provide an estimate of the next purchase date of an item using purchase record and transaction information. For example, as recited in amended independent claim 1, at a time of a customer transaction, information is provided "to prompt the customer to purchase an item as the estimated next purchase date of a class of an item nears".

Sugiyama does not teach or suggest, "estimating next purchase date of an item class from a purchase frequency of the item calculated from the purchase record" and "notifying the customer of the estimated next purchase date", as recited in independent claims 1, 7 and 12.

It is submitted that the independent claims are patentable over Sugiyama.

For at least the above-mentioned reasons, claims depending from independent claims 1, 7 and 12 are patentably distinguishable over Sugiyama. The dependent claims are also

independently patentable. For example, as recited in claim 6, the notification unit "notifies the customer of the estimated next purchase date of an item class determined by a store before the estimated next purchase date". The Sugiyama method does not teach or suggest, providing "the customer of the estimated next purchase date of an item class determined by a store before the estimated next purchase date".

Therefore, withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103 (a):

Claims 3, 4, 9, and 13-15 were rejected under 35 U.S.C. § 103(a) as being anticipated by Sugiyama and U.S. Publication No. 2002/0038264 (Ishikawa).

The Examiner acknowledges that Sugiyama does not disclose a store information processor that includes an advance order unit, but relies on Ishikawa as teaching the same. However, Ishikawa is limited to allowing a user to enter key words relating to an the user is seeking, and enabling the user to make an advance order of a desired item without disclosing the user's private information such as name, address, telephone number, etc. (see, paragraphs 7 and 48).

As recited in independent claim 14, the present invention includes receiving information to place an advance order of an item to be purchased by a customer "during a transaction process managed by a store information processor at the time of processing of the transaction" and "displaying the information about the advance order on a display screen".

The combination of Sugiyama and Ishikawa does not teach or suggest, allowing a user to place an advance order of an item to be purchased by a customer "during a transaction process managed by a store information processor at the time of processing of the transaction", as recited in independent claim 14.

Moreover, for at least the above-mentioned reasons, dependent claims 3, 4, 9, and 13 are patentably distinguishable over Sugiyama and Ishikawa because the combination of Sugiyama and Ishikawa does not teach or suggest, "estimating next purchase date of an item class from a purchase frequency of the item calculated from the purchase record", "notifying the customer of the estimated next purchase date" and "receiving information to place an advance order of an item to be purchased by a customer during a transaction process managed by a store information processor at the time of processing of the transaction.

Therefore, withdrawal of the rejection is respectfully requested.

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NEW CLAIM:

New claim 16 is added to recite, "generating a purchase record for each transaction executed by the customer involving a replenishable item and determining purchase frequency information of the replenishable item from the purchase record" and providing the customer with "an automatic notification indicating a predicated date for an estimated purchase of the replenishable item in accordance with the purchase record and purchase frequency information".

Therefore, Applicants respectfully submit that new claim 16 is patentably distinguishable over Sugiyama and Ishikawa.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.
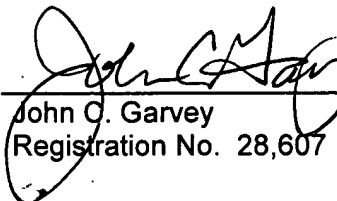
Respectfully submitted,

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